

12/24/2009

FEDERAL EMERGENCY MANAGEMENT AGENCY

EHP-04

17:49:23

RECORD OF ENVIRONMENTAL CONSIDERATION REPORT(REC)

Project ID: PA-10-WA-1817-PW-00753

Title: RHGA027 - Grays River Hatchery Grounds and Facilities

NEPA DETERMINATION

Non Compliant Flag: No

EA Draft Date:

EA Final Date:

EA Public Notice Date:

EA Fensl Date:

Level: STATEX

EIS Notice of Intent Date:

EIS ROD Date:

Comments: PW scope of work is to remove debris from hatchery complex. Work completed by WDFW at the Grays River Hatchery by force account equipment was the removal 1133 CY of sand/silt from the parking lot, ditch line and upper water intake. Only the upper intake work involved in-water work in order to keep the hatchery supplied with water.

Work to be completed includes the removal of approximately 928 CY of debris from above & below the access bridge, adult ponds (1 & 2), adult pond drain, upper & lower fish ladders, fish ladder outlet, upper hatchery drain, additional material from upper intake box, bypass channel and slope work.

- sstephe9 - 06/17/2009 22:53:04 GMT

In summary, project involved debris removal from various locations. In-water work involved removing sediment from the upper intake to maintain sufficient water supply to the hatchery. - sstephe9 - 12/24/2009 17:07:25 GMT

CATEX CATEGORIES

Catex Category Code	Description	Selected
	No Catex Categories were selected	

EXTRAORDINARY CIRCUMSTANCES

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comments
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would affect waters, including wetlands, of the U.S.	It appears that the hatchery is above the navigable length (8 miles) of Grays River, therefore the completed upper intake work may qualify for the Section 404 (f) exemption for maintenance. The uncompleted work may require a USACOE permit. - sstephe9 - 06/17/2009 22:13:08 GMT
	Completed	Project may require Section 404/401 or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits - Review concluded	

NOTE: All times are GMT using a 24-hour clock.

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Project ID: PA-10-WA-1817-PW-00763

Title: RHGA027 - Grays River Hatchery Grounds and Facilities

Environmental Law/ Executive Order	Status	Description	Comments
Coastal Zone Management Act (CZMA)	Completed	Project is located in a coastal zone area and/or affects the coastal zone	Project is located in Pacific County, which is in the coastal zone. Federal consistency determination may be required. For additional information, see: http://www.ecy.wa.gov/programs/sea/czm/fed-consist.html . - stephe9 - 06/17/2009 22:16:24
	Completed	State administering agency requires consistency review - Review concluded	
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	Per Flood Insurance Rate Map (FIRM) 53026060A project & disposal sites are located outside of the 100-year flood zone. - stephe9 - 06/18/2009 00:23:58 GMT
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	No Low Income or minority population in, near or affected by the project - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Pending BA ESA listed species (chinook, coho, chum and winter steelhead) and EFH. - stephe9 - 06/17/2009 21:50:16 GMT Debris removal from the upper intake involved in-water work. FEMA made a "May Affect, Not Likely to Adversely Affect" determination for Lower Columbia coho and Chinook salmon, and for Columbia River chum salmon, as well as critical habitat of Chinook and chum salmon. FEMA informally consulted with the National Marine Fisheries Service. A biological assessment in the form of a Specific Project Information File was submitted with FEMA's concurrence request (attached). FEMA received concurrence with this NLAA determination (see attached). - king7 - 12/24/2009 17:36:58 GMT
	Completed	May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	

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Project ID: PA-10-WA-1817-PW-00753

Title: RHGA027 - Grays River Hatchery Grounds and Facilities

Environmental Law/ Executive Order	Status	Description	Comments
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project located in or near Essential Fish Habitat	Pending BA ESA listed species (chinook, coho, chum and winter steelhead) and EFH. - sstephe9 - 06/17/2009 22:18:12 GMTFEMA determined that this project would have No Adverse Effect on Essential Fish Habitat for Chinook and coho salmon (see SPIF and concurrence letter attached to ESA review). NMFS agreed with FEMA's determination. - sking7 - 12/24/2009 17:41:41 GMT
	Completed	Project does not adversely affect Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date and # in comments) - Review concluded	FEMA's Programmatic Agreement, October 14, 2004, as amended April 9, 2007, Appendix B, contains a list of Programmatic Allowances. This scope of work has been reviewed and meets the criteria of I-L of that document. Accordingly, no further consultation is required under Section 106 of the National Historic Preservation Act. Susan King, Environmental Specialist - sking7 - 12/24/2009 17:27:28 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Special Conditions required on Implementation of Projects:

Project may require Section 401/404 Clean Water Act (CWA) permits and/or Section 10 permits under the Rivers & Harbors Act. When these permits are required, applicant must maintain documentation of compliance with applicable nationwide permit (NWP), exemption from requirements, or obtain individual permits from U.S. Army Corps of Engineers prior to construction, unless exempt by the NWP from pre-construction notification. Applicant must comply with all applicable permit conditions.

Source of condition: Clean Water Act (CWA)

Monitoring Required: No

o Applicant is responsible for determining with the Washington State Department of Ecology whether the project requires a federal consistency determination. If so, then applicant must obtain and comply with all requirements.

Source of condition: Coastal Zone Management Act (CZMA)

Monitoring Required: No

Applicant shall comply with the conservation measures set forth in the Specific Project Information File (SPIF) and concurrence letter, which are attached to the ESA review. Failure to do so may jeopardize funding. Applicant must notify FEMA if the action is modified so that they may assess the effects of the modified action.

Source of condition: Endangered Species Act (ESA)

Monitoring Required: No

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

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If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

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